

# **Exhibit 40**

*Redacted Public Version*

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

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HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY  
UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

NIKE, INC., :  
Plaintiff, : Case No. 22-cv-983  
:  
v. :  
STOCKX LLC, :  
Defendant. :  
----- :

VIDEOTAPE DEPOSITION OF:  
BARBARA DELLI CARPINI  
NEW YORK, NEW YORK  
TUESDAY, JANUARY 10, 2023

REPORTED BY:  
SILVIA P. WAGE, CCR, CRR, RPR  
JOB NO. 5593380

## HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2</p> <p>3</p> <p>4 January 10, 2023</p> <p>5 9:41 a.m.</p> <p>6 Videotape deposition of BARBARA DELLI</p> <p>7 CARPINI, held at the offices of DEBEVOISE &amp;</p> <p>8 PLIMPTON LLP, 919 Third Avenue, New York, New</p> <p>9 York, pursuant to agreement before SILVIA P.</p> <p>10 WAGE, a Certified Shorthand Reporter, Certified</p> <p>11 Realtime Reporter, Registered Professional</p> <p>12 Reporter, and Notary Public for the States of New</p> <p>13 Jersey, New York and Pennsylvania.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 I N D E X</p> <p>3 WITNESS: BARBARA DELLI CARPINI PAGE</p> <p>4 EXAMINATION BY MS. BANNIGAN 9</p> <p>5 EXAMINATION BY MS. DUVDEVANI 271</p> <p>6 EXAMINATION BY MS. BANNIGAN 277</p> <p>7</p> <p>8 E X H I B I T S</p> <p>9 NO. DESCRIPTION PAGE</p> <p>10 Exhibit 1 Notice of Deposition of Nike, 16</p> <p>11 Inc.</p> <p>12 Exhibit 2 presentation titled, " 85</p> <p>13 NIKE0040131 to NIKE0040160</p> <p>14 marked Highly Confidential -</p> <p>15 Outside Counsel's Eyes Only</p> <p>16 Exhibit 3 Plaintiff Nike Inc.'s 120</p> <p>17 Supplemental Responses and</p> <p>18 Objections to Defendant</p> <p>19 StockX LLC's Second Set of</p> <p>20 Interrogatories</p> <p>21 Exhibit 4 document titled, "Product 171</p> <p>22 Authentication," NIKE0035919</p> <p>23 marked Highly Confidential -</p> <p>24 Outside Counsel's Eyes Only</p> <p>25 Exhibit 5 presentation titled, "Legit," 174</p> <p>NIKE0035611 to NIKE0035650</p> <p>marked Highly Confidential -</p> <p>Outside Counsel's Eyes Only</p> <p>Exhibit 6 enlarged spreadsheet produced 184</p> <p>in native NIKE0039044</p> <p>Exhibit 7 Plaintiff Nike Inc.'s 185</p> <p>Responses and Objections to</p> <p>Defendant's StockX LLC Third</p> <p>Set of Interrogatories</p> <p>Exhibit 8 enlarged spread sheet 205</p> <p>NIKE0039436</p> <p>Exhibit 9 5/12/22 e-mail from 255</p> <p>@gmail.com to</p> <p>Counterfeit@Nike.com</p> <p>NIKE0040617 marked</p> <p>Confidential</p>
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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 A P P E A R A N C E S:</p> <p>3</p> <p>4 DLA PIPER LLP (US)</p> <p>5 Attorneys for Plaintiff</p> <p>6 1251 Avenue of the Americas 27th Floor</p> <p>7 New York, New York 10020-1104</p> <p>8 (212) 335-4500</p> <p>9 Tamar.duvdevani@dlapiper.com</p> <p>10 Marc.miller@us.dlapiper.com</p> <p>11 BY: TAMAR DUVDEVANI, ESQ.</p> <p>12 BY: MARC MILLER, ESQ.</p> <p>13</p> <p>14 DEBEVOISE &amp; PLIMPTON LLP</p> <p>15 Attorneys for Defendants</p> <p>16 919 Third Avenue</p> <p>17 New York, New York 10022</p> <p>18 (212) 909-600</p> <p>19 Mkbannigan@debevoise.com</p> <p>20 Ksaba@debevoise.com</p> <p>21 Askapyur@debevoise.com</p> <p>22 BY: MEGAN BANNIGAN, ESQ.</p> <p>23 BY: KATHRYN SABA, ESQ.</p> <p>24 BY: ANITA KAPYUR, ESQ.</p> <p>25</p> <p>ALSO PRESENT:</p> <p>KIMBERLY VAN VOORHIS, ESQ.</p> <p>IN-HOUSE NIKE</p> <p>MARCELO RIVERA</p> <p>VIDEOGRAPHER</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 E X H I B I T S</p> <p>3 NO. DESCRIPTION PAGE</p> <p>4 Exhibit 10 5/12/22 e-mail 0040617 from 257</p> <p>5 @gmail.com to</p> <p>6 Counterfeit@Nike.com</p> <p>7 NIKE0040620 to NIKE0040623</p> <p>8 marked Confidential</p> <p>9</p> <p>10 PREVIOUSLY MARKED EXHIBITS</p> <p>11</p> <p>12 NO. DESCRIPTION PAGE</p> <p>13</p> <p>14 NONE</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

## HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 - - -</p> <p>3 DEPOSITION SUPPORT INDEX</p> <p>4 - - -</p> <p>5</p> <p>6 Direction to Witness Not to Answer</p> <p>Page Line</p> <p>7</p> <p>76 22</p> <p>188 15</p> <p>9</p> <p>Request for Production of Documents</p> <p>Page Line</p> <p>87 24</p> <p>12</p> <p>Stipulations</p> <p>Page Line</p> <p>205 14</p> <p>15</p> <p>Question Marked</p> <p>Page Line</p> <p>16</p> <p>17</p> <p>18</p> <p>Reservation</p> <p>Page Line</p> <p>19</p> <p>20</p> <p>21</p> <p>Motion to Strike</p> <p>Page Line</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 If there are any objections to</p> <p>3 proceeding, please state them at the time of your</p> <p>4 a appearance.</p> <p>5 Counsel and all present will now</p> <p>6 state their appearance and affiliations for the</p> <p>7 record beginning with noticing attorney.</p> <p>8 MS. BANNIGAN: Good morning. This is</p> <p>9 Megan Bannigan from Debevoise &amp; Plimpton on</p> <p>10 behalf of StockX. With me today are my</p> <p>11 colleagues Kathryn Saba and Anita Kapyur also</p> <p>12 from StockX -- also from Debevoise on behalf of</p> <p>13 StockX.</p> <p>14 MS. DUVDEVANI: Good morning. Tamar</p> <p>15 Duvdevani, DLA Piper LLP on behalf of Plaintiff</p> <p>16 Nike, Inc. I am joined by my colleague Marc</p> <p>17 Miller also of DLA Piper and Kim Van Voorhis of</p> <p>18 Nike, Inc.</p> <p>19 Good morning.</p> <p>20 THE VIDEOGRAPHER: Will the Court</p> <p>21 Reporter please swear in the witness.</p> <p>22 THE STENOGRAPHER: Ms. Carpini, if</p> <p>23 you could please raise your right hand so I can</p> <p>24 administer the oath.</p> <p>25 BARBARA DELLI CARPINI,</p>
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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 THE VIDEOGRAPHER: Good morning.</p> <p>3 We're going on the record at 9:40 a.m. on</p> <p>4 January 10th, 2023.</p> <p>5 Please note that the microphones are</p> <p>6 sensitive and may pick up whispering and private</p> <p>7 conversations. Please mute your phones at this</p> <p>8 time.</p> <p>9 Audio and video recording will</p> <p>10 continue to take place unless all parties agree</p> <p>11 to go off the record.</p> <p>12 This is Media Unit 1 of the video</p> <p>13 recorded deposition of Ms. Barbara Carpini in the</p> <p>14 matter of StockX LLC.</p> <p>15 This deposition is being held at</p> <p>16 Debevoise &amp; Plimpton located at 919 Third Avenue,</p> <p>17 New York, New York.</p> <p>18 My name is Marcelo Rivera</p> <p>19 representing Veritext Legal Solutions and I am</p> <p>20 the Videographer. The Court Reporter is Silvia</p> <p>21 Wage in association with Veritext Legal</p> <p>22 Solutions.</p> <p>23 I am not related to any party in this</p> <p>24 action. Nor am I financially interested in the</p> <p>25 outcome.</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Nike Retail B.V., Via Castigelioni 8,</p> <p>3 Milano, Italy, after having been duly sworn,</p> <p>4 was examined and testified as follows:</p> <p>5 THE STENOGRAPHER: Thank you.</p> <p>6 You may proceed.</p> <p>7 EXAMINATION BY MS. BANNIGAN:</p> <p>8 Q. Thanks for joining us today.</p> <p>9 As you heard, I'm Megan Bannigan from</p> <p>10 Debevoise &amp; Plimpton on behalf of StockX.</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 ground rules. Although I'm assuming they're</p> <p>21 pretty similar.</p> <p>22 Your testimony is under oath today.</p> <p>23 It's going to be taken down by the Stenographer.</p> <p>24 Let's please try not to talk over each other.</p> <p>25 So, if you could let me finish my questions, I'll</p>

3 (Pages 6 - 9)

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2 Q. Yeah.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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2 Q. Okay. Are you prepared to testify

3 today on this topic?

4 A. Yes.

5 Q. Skipping down to 28, you've been

6 designated by Nike to speak on this topic; is

7 that correct?

8 A. Yes.

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 A. Yes.

21 Q. Topic 30, "Nike's effort to monitor

22 secondary marketplaces for counterfeit products

23 bearing the asserted marks."

24 Are you prepared to testify on behalf

25 of Nike on Topic 30 today?

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 A. Yes.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. Topic 39, Nike's response to each of

11 StockX's interrogatories to Nike including the

12 identity of each person who provided information

13 relevant to such responses and the information

14 provided by such persons. You've been designated

15 to talk on that topic as well.

16 Are you prepared to talk on that

17 topic today?

18 A. Yeah, I am.

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 Q. And then, finally, Topic 40, all harm

3 to Nike stemming from Nike's causes of action in

4 this case.

5 Are you prepared to testify on behalf

6 of Nike on that topic today?

7 A. Yes.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. And my understanding is you're

16 currently employed at Nike, correct?

17 A. Correct.

18 Q. And what is your position?

19 A. I'm the Vice President for global

20 brand protection and digital IP enforcement and I

21 lead the global brand protection team.

22 Q. Where are you based?

23 A. I'm based in Italy.

24 Q. How long have you been in that

25 current position?

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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 A. Six years.</p> <p>3 Q. And how long have you been at Nike?</p> <p>4 A. Since 2005.</p> <p>5 Q. Okay. And so why don't you give me a</p> <p>6 bit of your background at Nike.</p> <p>7 What other positions have you held</p> <p>8 there?</p> <p>9 A. Yeah. So I started in 2005 in Nike</p> <p>10 Italy as brand protection adviser.</p> <p>11 (Stenographer clarification.)</p> <p>12 A. Nike Italy as brand protection</p> <p>13 advisor.</p> <p>14 After five years I moved to our</p> <p>15 European headquarters based in the Netherlands as</p> <p>16 a brand protection associate Counsel.</p> <p>17 And after four years, I got promoted</p> <p>18 to digital IP -- digital brand protection and was</p> <p>19 leading the global digital effort.</p> <p>20 And after that I was promoted to ---</p> <p>21 in 2016 to global brand protection senior</p> <p>22 director first and then last year to Vice</p> <p>23 President global brand protection and digital IP</p> <p>24 enforcement.</p> <p>25 Q. Got it. Thank you.</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. Yes.</p> <p>3 MS. DUVDEVANI: Yes, unless I say not</p> <p>4 to answer. I'm going to be saying objection</p> <p>5 today.</p> <p>6 A. No, that as an operational role.</p> <p>7 Q. Okay. So you noted you're still part</p> <p>8 of the legal team what did you mean by that?</p> <p>9 A. We are -- we operate --</p> <p>10 (Stenographer clarification.)</p> <p>11 A. We operate under the umbrella of the</p> <p>12 OGC, which is the office Of the General Counsel</p> <p>13 and we work within our team with lawyers as well.</p> <p>14 Q. So the brand projection division or</p> <p>15 -- wait, what's the right term to call --</p> <p>16 A. Brand protection department.</p> <p>17 Q. Department sits under the General</p> <p>18 Counsel's office?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. And you have lawyers on the</p> <p>21 team?</p> <p>22 Even though your position is</p> <p>23 operational, there are lawyers on the team who</p> <p>24 you interact with?</p> <p>25 A. Yes, correct.</p>
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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 And what's your educational</p> <p>3 background?</p> <p>4 A. I started low. I'm lawyer admitted</p> <p>5 at the Bar in Italy.</p> <p>6 THE STENOGRAPHER: I'm sorry. You're</p> <p>7 speaking too low and I can't hear you.</p> <p>8 A. Sorry. I am a lawyer and I am</p> <p>9 admitted at the bar in Italy.</p> <p>10 Q. And what year were you admitted to</p> <p>11 the bar in Italy?</p> <p>12 A. I was admitted in 2006.</p> <p>13 Q. And of the positions that you held at</p> <p>14 Nike were any of those legal positions?</p> <p>15 MS. DUVDEVANI: Objection.</p> <p>16 Q. You can answer.</p> <p>17 A. The role in the Netherlands was brand</p> <p>18 production associate Counsel and was a bigger</p> <p>19 role. I'm still part of the legal department.</p> <p>20 Q. So is your role as lead of the global</p> <p>21 brand protection team, is that a legal role? Do</p> <p>22 you act as a lawyer to the legal brand protection</p> <p>23 team?</p> <p>24 MS. DUVDEVANI: Objection.</p> <p>25 A. Can I go?</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. And as lead of global brands</p> <p>3 projection, are you head of brand protection?</p> <p>4 A. Correct.</p> <p>5 Q. And how many people report to you?</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 Q. So how many direct reports do you</p> <p>15 have?</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>

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2 [REDACTED] And

3 then Joe Pallett who is --

4 THE STENOGRAPHER: I'm sorry. You're

5 a little fast --

6 THE WITNESS: Sorry. I can go

7 slower.

8 THE STENOGRAPHER: -- and I'm not

9 familiar with your accent.

10 THE WITNESS: You are right.

11 THE STENOGRAPHER: I'm so sorry.

12 THE WITNESS: You are right.

13 MS. BANNIGAN: Just tell us what you

14 need until and so we get it right.

15 THE STENOGRAPHER: Well, it's

16 recorded; but resources reporting to me,

17 dedicated to?

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 Is this where we are, right?

25 [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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2 Q. And then how about the head of

3 authentication and innovation?

4 A. Joe Pallett.

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 Q. When you say, "business partners,"

25 what did you mean by that?

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2 A. Business in our distribution system

3 think about Nike sales or Nike direct, digital

4 business partners.

5 Q. Do you mean internal business

6 partners?

7 A. Internal business partners.

8 Q. Who do you report to?

9 A. I report to the Deputy General

10 Counsel Rob Leinwand, who is based at our global

11 headquarters.

12 Q. And do you provide legal advice to

13 Nike in any way --

14 MS. DUVDEVANI: Objection.

15 Q. -- in your position?

16 MS. DUVDEVANI: Objection.

17 A. I don't at the moment.

18 Q. Do you sit on any committees or

19 working groups at Nike?

20 A. Can you please clarify what you mean

21 by that?

22 Q. Are there any internal committees or

23 groups that you're a part of that you sit on,

24 task force or -- I'm not exactly sure of the

25 terminology that Nike uses.

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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 A. No.</p> <p>3 Q. Do you understand what I mean by --</p> <p>4 A. Yeah.</p> <p>5 Q. -- "committee," "working group,"</p> <p>6 "task force"?</p> <p>7 A. Yeah.</p> <p>8 Q. None that you can think of?</p> <p>9 A. No.</p> <p>10 Q. So what's the purpose of fighting</p> <p>11 counterfeits at Nike?</p> <p>12 A. First of all, it's to protect the</p> <p>13 authenticity of the connection Nike has with its</p> <p>14 own consumers. We -- our team, entire team,</p> <p>15 engages with law enforcement all around the world</p> <p>16 in order to provide the support when it comes to</p> <p>17 detentions or detection or seizures of</p> <p>18 counterfeit products sold or imported or also</p> <p>19 appearing online.</p> <p>20 Q. When you say, "it's to protect the</p> <p>21 authenticity of the connection Nike has with its</p> <p>22 own consumers," what do you mean by that,</p> <p>23 specifically?</p> <p>24 A. Making sure that we clean the</p> <p>25 marketplace as much as possible from counterfeit</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. For the example about the mom being</p> <p>3 misled, how does that harm Nike, specifically?</p> <p>4 A. Someone who buys a product convinced</p> <p>5 to be buying a counterfeit and then finding out</p> <p>6 later on that it's a counterfeit product</p> <p>7 believing that the source of that poor quality</p> <p>8 product, for example, is coming from Nike is</p> <p>9 definitely harmful to our brand.</p> <p>10 Q. I see.</p> <p>11 So it's harmful to your brand if they</p> <p>12 don't find out the source because they might</p> <p>13 think that the Nike product is low quality?</p> <p>14 A. Yeah. It can also be a harmful</p> <p>15 product based on the (INAUDIBLE.) It's going to</p> <p>16 create a damage to the person who uses such</p> <p>17 product.</p> <p>18 Q. And when you say, there's financial</p> <p>19 harm to Nike from counterfeits, what do you mean</p> <p>20 by that, specifically?</p> <p>21 A. So there are certain sales of</p> <p>22 counterfeit that take away sales from Nike,</p> <p>23 obviously. And on top of that, you know, the</p> <p>24 damage that counterfeit create to our brand has</p> <p>25 also financially impact.</p>
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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 in order to have consumers facing counterfeit is</p> <p>3 less as possible in the marketplace.</p> <p>4 Q. Why is that important?</p> <p>5 A. It's important because counterfeit</p> <p>6 misleads consumers because counterfeit is not a</p> <p>7 product that Nike manufactures because it's</p> <p>8 something that -- it's a crime that is pursued ex</p> <p>9 official almost everywhere and we support that</p> <p>10 kind of enforcement.</p> <p>11 Q. Do counterfeits harm Nike's brand?</p> <p>12 A. Definitely.</p> <p>13 Q. How?</p> <p>14 A. From many ways. Counterfeit can be</p> <p>15 of bad quality, so harming health and the</p> <p>16 consumer itself. It harms our business because</p> <p>17 think of a person who want to buy a pair of shoes</p> <p>18 for his son or daughter. Think of a mom buying a</p> <p>19 pair of Nike shoes spending a lot of money</p> <p>20 because counterfeit can be found at a very high</p> <p>21 price and then being misled and thinking that</p> <p>22 that's a Nike product. So that's a harm to our</p> <p>23 image. And it's also a financial harm because,</p> <p>24 obviously, that's a sale that gets away from</p> <p>25 Nike.</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. So financial harm, does that assume</p> <p>3 that the person who purchased the counterfeits</p> <p>4 could have purchased the shoes from Nike</p> <p>5 directly?</p> <p>6 A. Yeah.</p> <p>7 MS. DUVDEVANI: Objection.</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>



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<p>Page 34</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p>	<p>Page 36</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 Q. Who is the head of the gray market</p> <p>12 team?</p> <p>13 A. Chira Pizzol.</p> <p>14 Q. And do you have an understanding of</p> <p>15 what a gray market good is?</p> <p>16 A. Yeah.</p> <p>17 Q. What is it?</p> <p>18 A. It's a product that has been sold</p> <p>19 outside the Nike network.</p> <p>20 Q. Does that mean a product produced or</p> <p>21 manufactured by Nike that's been sold outside of</p> <p>22 its authorized distribution?</p> <p>23 A. Yeah.</p> <p>24 [REDACTED]</p>
<p>Page 35</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p>	<p>Page 37</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p>

10 (Pages 34 - 37)

## HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> <p>31 [REDACTED]</p> <p>32 [REDACTED]</p> <p>33 [REDACTED]</p> <p>34 [REDACTED]</p> <p>35 [REDACTED]</p> <p>36 [REDACTED]</p> <p>37 [REDACTED]</p> <p>38 [REDACTED]</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> <p>31 [REDACTED]</p> <p>32 [REDACTED]</p> <p>33 [REDACTED]</p> <p>34 [REDACTED]</p> <p>35 [REDACTED]</p> <p>36 [REDACTED]</p> <p>37 [REDACTED]</p> <p>38 [REDACTED]</p>
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<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 MS. DUVDEVANI: Objection.</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> <p>31 [REDACTED]</p> <p>32 [REDACTED]</p> <p>33 [REDACTED]</p> <p>34 [REDACTED]</p> <p>35 [REDACTED]</p> <p>36 [REDACTED]</p> <p>37 [REDACTED]</p> <p>38 [REDACTED]</p>	<p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>26 [REDACTED]</p> <p>27 [REDACTED]</p> <p>28 [REDACTED]</p> <p>29 [REDACTED]</p> <p>30 [REDACTED]</p> <p>31 [REDACTED]</p> <p>32 [REDACTED]</p> <p>33 [REDACTED]</p> <p>34 [REDACTED]</p> <p>35 [REDACTED]</p> <p>36 [REDACTED]</p> <p>37 [REDACTED]</p> <p>38 [REDACTED]</p>

11 (Pages 38 - 41)

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Page 238

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 15 [REDACTED]  
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 17 [REDACTED]  
 18 [REDACTED]  
 19 [REDACTED]  
 20 [REDACTED]  
 21 [REDACTED]  
 22 [REDACTED]  
 23 [REDACTED]  
 24 Q. How, specifically, has Nike's image  
 25 been harmed by the sale of the alleged

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY  
 2 counterfeits on StockX's website?  
 3 MS. DUVDEVANI: Objection.  
 4 A. Nike is always harmed by the sale of  
 5 counterfeit products.  
 6 Q. Can you give me anymore detail?  
 7 MS. DUVDEVANI: Objection.  
 8 A. I believe I've answered to this  
 9 question already several times. So Nike gets  
 10 harmed by counterfeit being sold in the  
 11 marketplace because consumers would believe that  
 12 those are genuine while they could be harming  
 13 consumers along with taking away sales from Nike  
 14 as well.  
 15 Q. [REDACTED]  
 16 [REDACTED]  
 17 [REDACTED]  
 18 [REDACTED]  
 19 MS. DUVDEVANI: Objection.  
 20 [REDACTED]  
 21 [REDACTED]  
 22 [REDACTED]  
 23 [REDACTED]  
 24 MS. DUVDEVANI: Objection.  
 25 A. [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY  
 2 [REDACTED]  
 3 Q. What do you mean by that? How would  
 4 you quantify it?  
 5 A. Based on the number that is sold you  
 6 will quantify how much damage has been done to  
 7 Nike.  
 8 Q. So do you have a figure --  
 9 A. On top of the financial and the image  
 10 damage to the brand, reputation damage as well  
 11 will add up, in my view.  
 12 Q. Okay. So -- but what I want to try  
 13 to understand right now is the financial damage.  
 14 [REDACTED]  
 15 [REDACTED]  
 16 [REDACTED]  
 17 [REDACTED]  
 18 [REDACTED]  
 19 [REDACTED]  
 20 [REDACTED]  
 21 [REDACTED]  
 22 [REDACTED]  
 23 [REDACTED]  
 24 [REDACTED]  
 25 What is the alleged harm to Nike from

## HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

<p style="text-align: right;">Page 242</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Nike's false advertising claim?</p> <p>3 A. [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 Q. Excuse me, sold on StockX's website.</p> <p>19 MS. DUVDEVANI: Objection.</p> <p>20 Q. Let me state that more clearly.</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p style="text-align: right;">Page 244</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 Q. Who are Nike's core competitors in</p> <p>10 footwear?</p> <p>11 A. Adidas, Pumas Under Armour --</p> <p>12 (Stenographer clarification.)</p> <p>13 A. Adidas, Puma, Under Armour, a number</p> <p>14 of sporting good companies out there are Nike</p> <p>15 competitor, main Nike competitor.</p> <p>16 Q. [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 MS. DUVDEVANI: Objection.</p> <p>19 A. [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>
<p style="text-align: right;">Page 243</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 Q. Does Nike allege that its harm stems</p> <p>7 from lost sales?</p> <p>8 A. Can you repeat that please?</p> <p>9 Q. Sure.</p> <p>10 Does Nike allege that its harm stems</p> <p>11 from lost sales?</p> <p>12 MS. DUVDEVANI: Objection.</p> <p>13 A. Repeat it please.</p> <p>14 Q. Sure.</p> <p>15 Does Nike allege that its harm</p> <p>16 related to the false advertising claims stems</p> <p>17 from lost sales?</p> <p>18 MS. DUVDEVANI: Objection.</p> <p>19 Q. Or comes from lost sales?</p> <p>20 A. Yeah.</p> <p>21 Q. Yes.</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p style="text-align: right;">Page 245</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 Q. And so how does Nike allege harm from</p> <p>3 lost sales when Nike is not a participant in the</p> <p>4 secondary market like StockX?</p> <p>5 MS. DUVDEVANI: Objection.</p> <p>6 THE WITNESS: Do I need to answer</p> <p>7 this?</p> <p>8 Q. Yes.</p> <p>9 A. So I said before we are talking about</p> <p>10 counterfeit products. We were talking about</p> <p>11 counterfeit products.</p> <p>12 Q. And I'm talking about the false</p> <p>13 advertising claims now.</p> <p>14 A. Okay. [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 Q. Anything else?</p>

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 [REDACTED]

3 MS. DUVDEVANI: Objection.

4 A. [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 MS. DUVDEVANI: Objection.

13 [REDACTED]

14 Q. Okay. If StockX fails to detect a

15 counterfeit on its website, how does that harm

16 Nike?

17 MS. DUVDEVANI: Objection.

18 A. Repeat the question please.

19 Q. Okay. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 MS. DUVDEVANI: Objection.

23 A. [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 Q. Okay. So your answer is the same as

7 before, correct?

8 A. Yeah.

9 Q. [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 MS. DUVDEVANI: Objection.

14 A. The sale of counterfeit always harm

15 Nike. I believe I've said this several times.

16 Q. [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MS. DUVDEVANI: Objection.

8 [REDACTED]

9 [REDACTED]

10 Q. If a buyer purchases a counterfeit

11 shoe from StockX's website and believes that it's

12 an authentic Nike shoe, does that harm Nike?

13 MS. DUVDEVANI: Objection.

14 A. Yes, it does.

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 MS. DUVDEVANI: Objection.

22 THE WITNESS: Sorry.

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY

2 [REDACTED]

3 MS. DUVDEVANI: Objection.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 Q. Okay.

14 (Stenographer clarification.)

15 A. [REDACTED]

16 Q. How are you measuring the harm to

17 Nike based on the false advertising?

18 MS. DUVDEVANI: Objection.

19 A. I will defer to our lawyers'

20 determination on that.

21 Q. Okay. Does Nike believe that

22 StockX's advertising claims increase the number

23 of transactions on StockX's website?

24 MS. DUVDEVANI: Objection.

25 A. Please repeat the question. I didn't

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<p style="text-align: right;">Page 278</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 with Bates No. 144 please.</p> <p>3 A. Uh-huh.</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p style="text-align: right;">Page 280</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 CERTIFICATE OF REPORTER</p> <p>3 I, SILVIA P. WAGE, a Certified Shorthand</p> <p>4 Reporter, Certified Realtime Reporter and Registered</p> <p>5 Reporter, hereby certify that the witness in the</p> <p>6 foregoing deposition was by me duly sworn to tell</p> <p>7 the truth, the whole truth, and nothing but the</p> <p>8 truth in the within-entitled cause; that said</p> <p>9 deposition was taken down in shorthand by me, a</p> <p>10 disinterested person, at the time and place</p> <p>11 therein stated, and that the testimony of the</p> <p>12 said witness was thereafter reduced to typewriting,</p> <p>13 by computer, under my direction and supervision;</p> <p>14 that before completion of the deposition, review</p> <p>15 of the transcript [X] was [ ] was not requested.</p> <p>16 If requested, any changes made by the deponent</p> <p>17 (and provided to the reporter) during the period</p> <p>18 allowed are appended hereto.</p> <p>19 I further certify that I am not of counsel</p> <p>20 or attorney for either or any of the parties to</p> <p>21 the said deposition, nor in any way interested in</p> <p>22 the event of this cause, and that I am not</p> <p>23 [Signature] as thereto.</p> <p>24 [Signature]</p> <p>25 License No. 30X100182700</p> <p style="text-align: right;">January 12, 2023.</p>
<p style="text-align: right;">Page 279</p> <p>1 HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 MS. BANNIGAN: Okay. I have no</p> <p>14 further questions.</p> <p>15 MS. DUVDEVANI: Okay. Neither do I.</p> <p>16 THE VIDEOGRAPHER: The time is</p> <p>17 5:07 p.m. and we're going off the record.</p> <p>18 (Time noted: 5:08 p.m.)</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 281</p> <p>1 Tamar Duvdevani, Esq.</p> <p>2 Tamar.duvdevani@dlapiper.com</p> <p>3 January 12, 2023.</p> <p>4 RE: Nike, Inc. v. Stockx LLC</p> <p>5 1/10/2023, Barbara Delli Carpini (#5593380)</p> <p>6 The above-referenced transcript is available for</p> <p>7 review.</p> <p>8 Within the applicable timeframe, the witness should</p> <p>9 read the testimony to verify its accuracy. If there are</p> <p>10 any changes, the witness should note those with the</p> <p>11 reason, on the attached Errata Sheet.</p> <p>12 The witness should sign the Acknowledgment of</p> <p>13 Deponent and Errata and return to the deposing attorney.</p> <p>14 Copies should be sent to all counsel, and to Veritext at</p> <p>15 awilliams@veritext.com.</p> <p>16</p> <p>17 Return completed errata within 30 days from</p> <p>18 receipt of testimony.</p> <p>19 If the witness fails to do so within the time</p> <p>20 allotted, the transcript may be used as if signed.</p> <p>21</p> <p>22 Yours,</p> <p>23 Veritext Legal Solutions</p> <p>24</p> <p>25</p>

71 (Pages 278 - 281)